

Modified Form PTO-1390 (11-98) TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER LCI-101
INTERNATIONAL APPLICATION NO. PCT/US02/41525		U.S. APPLICATION NO. (if known. see 37 CFR 1.5) 10/501846
INTERNATIONAL FILING DATE 23 December 2002		PRIORITY DATE CLAIMED 26 December 2001
TITLE OF INVENTION DUAL POWER BINOCULAR WITH ADJUSTABLE STOP		
APPLICANT(S) FOR DO/EO/US Ellis I. Betensky, James Brian Caldwell, and Klaus G. Raschke		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT articles 22 and 39(1). 4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)). <ul style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) unsigned. 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
Items 11. to 16. below concern document(s) or information included:		
<ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <ul style="list-style-type: none"> <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 14. <input type="checkbox"/> A substitute specification. 15. <input type="checkbox"/> A change of power of attorney and/or address letter. 16. <input checked="" type="checkbox"/> Other items or information: (see Express Mail Information) 		

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17. <input checked="" type="checkbox"/> The following fees are submitted:		CALCULATIONS PTO USE ONLY		
BASIC NATIONAL FEE (37 CFR 1.492 (a) (1)-(5)):				
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO and International Search Report not prepared by the EPO or JPO		\$1,080.00		
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO		\$920.00		
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2) paid to USPTO		\$770.00		
International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)		\$730.00		
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)		\$100.00		
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$ 100.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$ --		
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE
Total claims		88 -20 =	68	X \$18.00 \$ 1,224.00
Independent claims		8 -3 =	5	X \$86.00 \$ 430.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$290.00 \$ 290.00
TOTAL OF ABOVE CALCULATIONS =		\$ 2,044.00		
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		\$ 1,022.00		
SUBTOTAL =		\$ 1,022.00		
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$ --		
TOTAL NATIONAL FEE =		\$ 1,022.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		+ \$ --		
TOTAL FEES ENCLOSED =		\$ 1,022.00		
		Amount to be: refunded		\$
		charged		\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of <u>\$1,022.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 11-1158 in the amount of \$ _____ to cover the above fees.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment to Deposit Account No. 11-1158. A duplicate copy of this sheet is enclosed</p>				
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>				
<p>SEND ALL CORRESPONDENCE TO: <u>CUSTOMER NO. 23520</u></p> <p><i>Maurice Klee</i> Maurice M. Klee, Ph.D. Registration Number. 30,399</p> <p><i>June 25, 2004</i> Date</p>				

[252] Attorney Docket No. : LCI-101

PATENT

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Int. Appl. No. : PCT/US02/41525
Int. Filing Date : 23 December 2002
Priority Date Claimed : 26 December 2001
Title of Invention : DUAL POWER BINOCULAR WITH ADJUSTABLE STOP
U.S. Serial No. : Not Yet Assigned
Applicant (U.S.) : Ellis I. Betensky, James Brian Caldwell, and Klaus G. Raschke

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
ATTENTION: DO/EO/US

EXPRESS MAIL INFORMATION

Attached hereto are the following papers which are being mailed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service on the date indicated below:

1. Transmittal Letter (2 pages, 2 copies)
2. Preliminary Amendment (3 pages)
3. Submission of Certificate Under 37 CFR 3.73(b) (3 pages with attached Assignment)
4. Information Disclosure Statement (1 page, with attached International Search Report)
5. Modified 1449 Form (1 page)
6. Cited References (8 references)
7. Declaration and Power of Attorney (4 pages)
8. Express Mail Information (1 page)
9. Check \$1022.00
10. Return Receipt Postcard (1 card; this card)

Date of mailing: June 25, 2004

Express Mail mailing label number: EF219428556

Person depositing papers with
the U.S. Postal Service: Anya Klee

June 25, 2004
Date Signed


Anya Klee